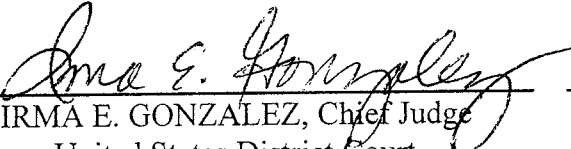


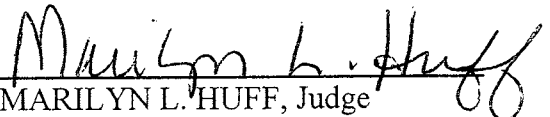
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA


In the matter of the Duties and Powers of )  
United States Magistrate Judges Regarding ) General Order No. 203-N  
Misdemeanor and Petty Offenses: )  
Forfeiture of Collateral )  
\_\_\_\_\_ )

Good cause appearing, IT IS ORDERED that the National Oceanic and Atmospheric Administration (NOAA) Office for Law Enforcement is added to the list of approved agencies that may issue citations in the Southern District of California. General Order 203-M is hereby amended to add the attached schedule of penalties for specified offenses under Title 16 of the United States Code.

DATED: April 28, 2008

  
IRMA E. GONZALEZ, Chief Judge  
United States District Court

  
MARILYN L. HUFF, Judge  
United States District Court

  
BARRY TED MOSKOWITZ, Judge  
United States District Court

  
JEFFREY T. MILLER, Judge  
United States District Court

OUT OF DISTRICT

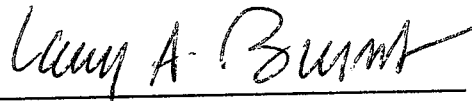
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THOMAS J. WHELAN, Judge  
United States District Court

OUT OF DISTRICT

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M. JAMES LORENZ, Judge  
United States District Court



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LARRY A. BURNS, Judge  
United States District Court



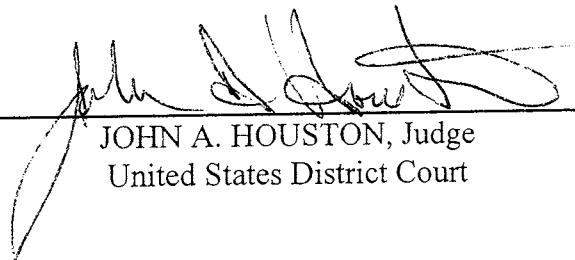
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DANA M. SABRAW, Judge  
United States District Court



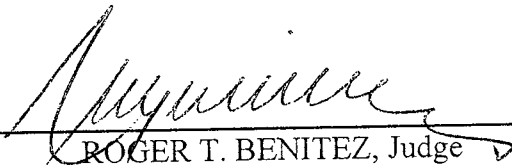
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WILLIAM Q. HAYES, Judge  
United States District Court



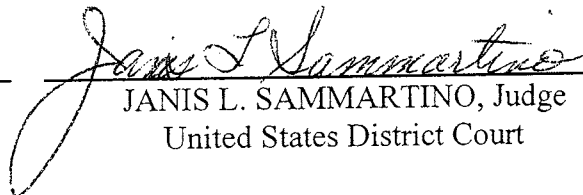
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JOHN A. HOUSTON, Judge  
United States District Court



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ROGER T. BENITEZ, Judge  
United States District Court



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JANIS L. SAMMARTINO, Judge  
United States District Court

# TITLE 16-CODE OF FEDERAL REGULATIONS

## WILDLIFE AND RELATED OFFENSES

<u>Section</u>	<u>Offense</u>	<u>Collateral</u>	<u>Petty/Misdemeanor</u>
704(b)(2)	Place or direct the placement of bait on or adjacent to an area for the purpose of causing person to take	\$ 500	P
	<u>DUCK STAMP ACT</u>		
718a	Take migratory waterfowl without Federal migratory bird hunting and conservation stamp	\$ 150	M
718e	Loan or transfer validated duck stamp or use by person other than person validating stamp	\$ 250	M
	<u>AIRBORNE HUNTING ACT</u>		
742j-1(a)(1)	Shoot or attempt to shoot from aircraft	\$ 500	M
742j-1(a)(2)	Use aircraft to harass	\$ 250	M
742j-1(a)(3)	Knowingly participate in using aircraft for any purpose in (1) or (2)	\$ 500	M
	<u>MARINE MAMMAL PROTECTION ACT AMENDMENTS OF 1988</u>		
1372(a)(2)(A)	Take marine mammal in waters or on lands under jurisdiction of U.S.	\$ 500	M

# TITLE 16-CODE OF FEDERAL REGULATIONS

## WILDLIFE AND RELATED OFFENSES

<u>Section</u>	<u>Offense</u>	<u>Collateral</u>	<u>Petty/Misdemeanor</u>
1372(a)(2)(B)	Use port, harbor or other place under jurisdiction of U.S. for any purpose connected with take or importation	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M
1372(a)(3)	Possess product of or marine mammal taken in violation	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M
1372(a)(4)	Transport, purchase, sell, etc., any marine mammal or product	\$ 500	M
1372(a)(5)	Use any means or methods of fishing in contravention	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M
1372(b)(1)	Import marine mammal pregnant at time of take	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M
1372(b)(2)	Import marine mammal nursing or less than 8 months at time of take	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M
1372(b)(3)	Import marine mammal which is designated as depleted species or stock	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M
1372(b)(4)	Import marine mammal taken in inhumane manner	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M

# TITLE 16-CODE OF FEDERAL REGULATIONS

## WILDLIFE AND RELATED OFFENSES

<u>Section</u>	<u>Offense</u>	<u>Collateral</u>	<u>Petty/Misdemeanor</u>
1372(c)(1)(A)	Import marine mammal taken in violation of this title	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M
1372(c)(1)(B)	Import marine mammal taken in another country in violation of the law of that country	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M
1372(c)(2)(A)	Import marine mammal product if import of the marine mammal is unlawful under paragraph (1)	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M
1372(c)(2)(B)	Import any marine mammal product if the sale in the country of origin of the product is illegal	\$ 500	M
1372(c)(3)	Import any fish if fish caught in manner proscribed by Secretary	\$ 500 (Commercial) \$ 250 (Non-commercial)	M M

# TITLE 16-CODE OF FEDERAL REGULATIONS

## WILDLIFE AND RELATED OFFENSES

<u>Section</u>	<u>Offense</u>	<u>Collateral</u>	<u>Petty/Misdemeanor</u>
<u>ENDANGERED SPECIES ACT AMENDMENTS OF 1988</u>			
1538(a)(1)(A)	Import or export any endangered species of fish or wildlife	\$1,000 (Commercial w/ a value of \$2000 or more) \$ 500 (Commercial w/ a value of less than \$2000) \$ 250 (Non-commercial)	M
1538(a)(1)(B)	Take any endangered species of fish or wildlife within the U.S. or the territorial sea	\$ 500	M
1538(a)(1)(C)	Take any endangered species of fish or wildlife on the high seas	\$ 500	M
1538(a)(1)(D)	Possess, sell, deliver, etc., any endangered species taken in violation of (B) or (C)	\$ 500	M
1538(a)(1)(E)	Deliver, receive, etc., in interstate or foreign commerce, any endangered species of fish or wildlife	\$ 500	M
1538(a)(1)(F)	Sell or offer for sale in interstate or foreign commerce any endangered species of fish or wildlife	\$ 500 (w/ a value of \$500 or more) \$ 250 (w/ a value of less than \$500)	M M

## TITLE 16-CODE OF FEDERAL REGULATIONS

### WILDLIFE AND RELATED OFFENSES

<u>Section</u>	<u>Offense</u>	<u>Collateral</u>	<u>Petty/Misdemeanor</u>
1538(a)(1)(G)	Violate any regulation pertaining to endangered or threatened species of fish or wildlife	\$ 500 (Commercial) \$ 250 (Non-commercial)	P P
1538(a)(2)(A)	Import or export any endangered species of plant	\$ 250	M
1538(a)(2)(B)	Remove and reduce to possession, etc., any endangered species of plant	\$ 250	M
1538(a)(2)(C)	Deliver, receive, etc., in interstate or foreign commerce, any endangered species of plant	\$ 250	M
1538(a)(2)(D)	Sell or offer for sale, in interstate or foreign commerce, any endangered species of plant	\$ 500 (w/ a value of \$500 or more) \$ 250 (w/ a value of less than \$500)	M M
1538(a)(2)(E)	Violate any regulation pertaining to endangered or threatened species of plants	\$ 250	M

## TITLE 16-CODE OF FEDERAL REGULATIONS

### WILDLIFE AND RELATED OFFENSES

<u>Section</u>	<u>Offense</u>	<u>Collateral</u>	<u>Petty/Misdemeanor</u>
1538(c)	Engage in any trade in any specimens contrary to the provisions of CITES or possess any specimens traded contrary to the provisions of CITES	\$1,000 (Commercial w/ a value of \$2000 or more \$ 500 (Commercial w/ a value of less than \$2000 \$ 250 (Non-commercial)	M  M
1538(d)	Engage in business as importer or exporter of fish, wildlife, or plants without import/export license	\$ 500	M
1538(e)	Failure to file declaration or report	\$ 500 (Commercial) \$ 100 (Non-commercial)	M M
1538(f)	Import or export through other than designated port without permit	\$ 250 (Commercial) \$ 100 (Non-commercial)	M M
1538(g)	Attempt or solicit another to commit or cause to be committed any offense defined in this section	Same as defined offense	M



# TITLE 16-CODE OF FEDERAL REGULATIONS

## WILDLIFE AND RELATED OFFENSES

<u>Section</u>	<u>Offense</u>	<u>Collateral</u>	<u>Petty/Misdemeanor</u>
<u>LACEY ACT AMENDMENTS OF 1981</u>			
3372(a)(1)	Import, export, transport, etc., fish, wildlife, or plant taken, possessed, etc., in violation of U.S. or tribal law	\$1,000 (Commercial) \$ 250 (Non-commercial)	M M
3372(a)(2)(A)	Import, export, transport, etc., in interstate or foreign commerce, any fish or wildlife taken, possessed, etc., in violation of State or foreign law	\$1,000 (Commercial w/ a value of \$2000 or more) \$ 500 (Commercial w/ a value of less than \$2000) \$ 250 (Non-commercial)	M M M
3372(a)(2)(B)	Import, export, transport, etc., in interstate or foreign commerce any plant taken, possessed, etc., in violation of State law	\$1,000 (Commercial w/ a value of \$2000 or more) \$ 500 (Commercial w/ a value of less than \$2000) \$ 250 (Non-commercial)	M M M

# TITLE 16-CODE OF FEDERAL REGULATIONS

## WILDLIFE AND RELATED OFFENSES

<u>Section</u>	<u>Offense</u>	<u>Collateral</u>	<u>Petty/Misdemeanor</u>
3372(a)(3)(A)	Within the special maritime and territorial jurisdiction, possess any fish or wildlife taken, possessed, etc., in violation of any State, foreign, or tribal law	\$1,000 (Commercial w/ a value of \$2000 or more) \$ 500 (Commercial w/ a value of less than \$2000) \$ 250 (Non-commercial)	M M M
3372(a)(3)(B)	Within the special maritime and territorial jurisdiction, possess any plant taken, possessed, etc., in violation of any State law	\$1,000 (Commercial w/ a value of \$2000 or more) \$ 500 (Commercial w/ a value of less than \$2000) \$ 250 (Non-commercial)	M M M
3372(a)(4)	Attempt to commit any act described in paragraphs (1) through (4)	Same as defined offense	M
3372(d)	Make or submit false record, account, or label for, or any false identification of fish, wildlife or plant <b>if</b> does <b>not</b> involve import/export or sale/purchase of wildlife with market value over \$350	\$ 500 (Commercial) \$ 400 (Non-commercial)	M M